



## ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

**(1) First and Final Report of Administration, and Petition for Final Settlement, and  
(2) for Final Distribution, Accounting Waived**

<b>DOD: 9-19-03</b>			<p><b>HUBERT DONNY</b>, Co-Executor with full IAEA without bond, are Petitioners.</p> <p>Petitioner states co-Executor Robert Donnie died January 8, 2008.</p> <p>I &amp; A filed 10/21/2004 indicates a total estate value of \$225,000.00 consisting of real property located on Van Ness in Fresno.</p> <p>POH: \$0</p> <p>Co-Executor (Statutory): Waives</p> <p>Attorney (Statutory): \$7,500.00</p> <p>Costs: \$775.00 (filing, publication, appraisal, certified copies)</p> <p>Petitioner states the real property was sold during administration. At this time, there is no cash balance of the estate subject to distribution by the Court.</p> <p><b>Petitioner prays for an order as follows:</b></p> <ol style="list-style-type: none"> <li>1. Ratifying, confirming and approving the acts and transactions of the Co-Executors;</li> <li>2. That the estate be closed;</li> <li>3. That the account be settled, allowed and approved;</li> <li>4. Distribution of estate not now known or discovered to the persons entitled thereto;</li> <li>5. Petitioner waives statutory compensation;</li> <li>6. Authorizing payment of the statutory attorney compensation and costs; and</li> <li>7. For all other proper orders.</li> </ol>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. The heirs of the estate were Co-Executors Hubert Donny and Robert Donny. Robert Donny died in 2008. The petition states the real property was sold, but does not indicated how the proceeds were distribute. The Court may require clarification as to how the proceeds were distributed.</li> <li>2. Petitioner requests the Court ratify and approve the acts and transactions of the Co-Executors; however, it appears the estate was distributed without Court authorization in violation of Probate Code, and then abandoned, requiring status hearing to be set by the Court for closure 10 years later. The Court may strike language ratifying such acts from the order.</li> <li>3. Attorney Renge requests the full amount of statutory fees and reimbursement for costs based on the I&amp;A. However, the petition does not provide an explanation for failure to timely close the estate. Examiner notes that there had been no activity in the estate between filing the Inventory and Appraisal on 10-21-04 and the status hearing set by the Court in November 2013 – over 9 years – even though the property was apparently sold and proceeds distributed in violation of Probate Code requiring petition and order. Pursuant to Probate Code §12205, the Court may reduce compensation.</li> </ol>
	<b>Aff.Sub.Wit.</b>			
✓	<b>Verified</b>			
✓	<b>Inventory</b>			
✓	<b>PTC</b>			
✓	<b>Not.Cred.</b>			
✓	<b>Notice of Hrg</b>			
✓	<b>Aff.Mail</b>	W		
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>			
	<b>Conf. Screen</b>			
✓	<b>Letters</b>			
	<b>Duties/Supp</b>			
	<b>Objections</b>			
	<b>Video Receipt</b>			
	<b>CI Report</b>			
✓	<b>9202</b>			
✓	<b>Order</b>			
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
	<b>UCCJEA</b>			
	<b>Citation</b>			
N/A	<b>FTB Notice</b>			

**Petition for Appointment of Successor Personal Representative and for Issuance of Letters Testamentary**

<b>DOD: 4-17-03</b>		<b>KEVIN WINGERT</b> , named alternate executor without bond, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>ANNA WINGERT</b> , surviving spouse, was appointed Executor with Full IAEA without bond on 12-13-15.	<b>1. Petitioner did not use the mandatory Judicial Council form Petition for Probate DE-111.</b>  <b>2. Petitioner used the regular "Notice of Hearing" Form DE-120 instead of Form DE-121 "Notice of Petition to Administer Estate," which contains the language required by Probate Code §8100.</b>
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	I&A filed 11-9-06 indicates a total estate value of \$6,000.00 (settlement proceeds).	
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>	Mrs. Wingert died on 12-14-06.	
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>	Petitioner requests appointment as executor without bond and that Letters Testamentary be issued to him with full IAEA.	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	Declaration of Attorney Rube states that upon appointment, Petitioner plans to file a Probate Code §12251.	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<b>Reviewed by:</b> skc <b>Reviewed on:</b> 5-16-14 <b>Updates:</b> <b>Recommendation:</b> <b>File 3 - Wingert</b>	

**Amended Petition for Appointment of Probate Conservator of the Person and Estate**

	<b>TEMP (PERSON ONLY) EXPIRES 5-15-14</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>BRYAN SNAVELY and BRAD SNAVELY</b> , sons, are Petitioners, and request appointment as Co-Conservators of the Person and Estate with bond set at \$712,848.00.	<b>Court Investigator advised rights on 3-4-14.</b>
<b>Cont from 040914</b>	<b>Capacity Declaration of Don H. Gaede, M.D. filed 03/03/2014.</b>	<b>Note: If the petition is granted status hearings will be set as follows:</b>
<input type="checkbox"/> Aff.Sub.Wit.	<b><u>Voting rights NOT affected.</u></b>	• <b>Thurs 7-10-14 at 9:00a.m. in Dept. 303</b> for the filing of the bond <b>and</b>
<input checked="" type="checkbox"/> Verified	<b><u>Estimated value of the Estate:</u></b>	• <b>Thurs 10-9-14 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <b>and</b>
<input type="checkbox"/> Inventory	Personal property - \$550,000.00	• <b>Thurs 10-8-15 at 9:00a.m. in Dept. 303</b> for the filing of the first account.
<input type="checkbox"/> PTC	Annual income - \$95,400.00	Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
<input type="checkbox"/> Not.Cred.	Real property - \$1,500,000.00	
<input checked="" type="checkbox"/> Notice of Hrg	<b>Petitioners state</b> they have been informed by the proposed conservatee's primary care physician that the proposed conservatee suffers from dementia. His house smells of rodent feces and urine. Food in the refrigerator and freezer is beyond expiration dates. He stores tools with sharp edges and blades in the house. The proposed conservatee cannot care for himself, prepare meals and maintain his residence in a clean and safe condition.	
<input checked="" type="checkbox"/> Aff.Mail      W	The proposed conservatee attempts to pay his bills, but places written checks with statement and does not mail payment. P.G.&E is threatening to shut off power because of unpaid bills. He makes impulsive purchases when watching television and responds unquestioningly to "investment offers" received in the mail. Recently he agreed to sell some real property for at least \$40,000 less than what it is worth in a transaction where the real estate agent represents both buyer and seller.	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv.      W		
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input checked="" type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		<b>Reviewed by:</b> skc
<input checked="" type="checkbox"/> Order		<b>Reviewed on:</b> 5-15-14
<input type="checkbox"/> Aff. Posting		<b>Updates:</b>
<input type="checkbox"/> Status Rpt		<b>Recommendation:</b>
<input type="checkbox"/> UCCJEA		<b>File 10 – Snavelly</b>
<input checked="" type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
	<b><u>SEE ADDITIONAL PAGES</u></b>	

## Page 2

**Report of Attorney Bagdasarian for Conservatee filed on 03/07/2014** states he has reviewed the Petition for Appointment of Probate Conservator of the Person filed 01/28/2014, the Court Investigator Investigation to Establish Temporary Conservatorship, the Confidential Supplemental Information filed 01/28/2014, the Amended Petition for Appointment of Temporary Conservator of the Person and Estate filed 02/28/2014 and Amended Capacity Declaration. Attorney Bagdasarian has discussed the Petition with J. Stanley Teixeira, the Attorney for the proposed Conservators Brian Snavelly and Brad Snavelly.

Attorney Bagdasarian visited the proposed Conservatee on 03/03/2014 and discussed with him the matters raised in the Petitions for Appointment of the Probate Conservator of the Person and Estate. In speaking with the proposed Conservatee, he was extremely adamant that he did not feel that he required the conservatorship of the person and estate to be imposed upon him and asked that it be dismissed. Mr. Snavelly's son has now moved in with him and is providing the necessary care the he needs. Mr. Snavelly handles most to his own banking matters and property issues and wants to continue to do the same. While the capacity declaration indicated a mild dementia, Mr. Snavelly does not believe that should effect his ability to handle his own health issues and manage his assets.

**Court Investigator Julie Negrete filed a report and a supplemental report on 03/04/2014.**

		KEVIN S. CAMPBELL, beneficiary, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: Continued from 4-9-14. As of 5-15-14, nothing further has been filed. The following issues remain:
		Petitioner states he is an income and principal beneficiary of <b>The Jerry W. Campbell and Billie J. Campbell Irrevocable Trust dated March 28, 1991.</b>	1. Probate Code §17201 requires the petition to list <u>all persons entitled to notice</u> . Petitioner lists the other <u>living beneficiaries</u> ; however, need clarification: Does this list include <u>all persons entitled to notice</u> pursuant to §17203?
		The trust is irrevocable.	
Cont from 040914		Petitioner states <b>DAVID E. ASH</b> is the duly appointed and acting trustee.	For example, it appears that according to the terms of the trust, spouses and issue of beneficiaries may also be entitled to notice. Some of the beneficiaries are deceased. Is anyone else entitled to notice?
	Aff.Sub.Wit.	Petitioner states the trustee has not made any report of information whatsoever concerning the trust for the period starting with commencement of the trust on 3-28-91 until 8-3-00. For the period 8-3-00 until 2-1-09, the trustee provided incomplete and handwritten information (see attached copies). All of this incomplete and handwritten information is written so sloppily that it is difficult or impossible to comprehend. Moreover, because no information has been provided concerning the trust from 3-28-91 through 8-3-00, there is no context for understanding what little incomplete information has been provided.	
✓	Verified	Petitioner states that on or about 7-1-13 Petitioner delivered by facsimile a written request for information pursuant to Probate Code §§ 16062 and 16063. To date, the trustee has failed and refused to prepare and provide Petitioner with the requested account.	2. Need dates of death per Local Rule 7.1.1.D. for:  - Jerry W. Campbell (trustor) - Billie J. Campbell (trustor) - Randall Campbell (deceased beneficiary) - Ricky Campbell (deceased beneficiary) - Jennifer Campbell (deceased beneficiary)
	Inventory		
	PTC		3. The attached copy of the trust is blank at various pertinent sections, such as the amount initially transferred, the appointment of a trustee, the amount initially received by the trustee, and Schedule A. Need clarification: Is a complete copy of the trust available?
	Not.Cred.		
✓	Notice of Hrg		4. According to the terms of the trust, the trust was to be split into six <u>separate</u> trusts for each beneficiary upon the deaths of the trustors. However, Petitioner appears to be requesting accounting for the original trust since its inception through the present.  The Court may require clarification regarding the requested account period and for which trusts.  <u>SEE ADDITIONAL PAGES</u>
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
		<b>Petitioner prays for an order:</b>	
		1) <b>Compelling David E. Ash as trustee to prepare and file with this Court an account of the trust since its commencement on 3-28-91, including copies of any and all documents that support, substantiate, or evidence any item set forth in the accounting;</b>	
		2) <b>Instructing David E. Ash to petition this Court for the settlement of the account and give notice of the hearing on the petition;</b>	
		3) <b>For such attorney fees and costs as may be allowable by law; and</b>	
		4) <b>For all other orders the Court deems proper.</b>	
	Aff. Posting		Reviewed by: skc
	Status Rpt		Reviewed on: 5-15-14
	UCCJEA		Updates:
	Citation		Recommendation:
	FTB Notice		File 11 – Campbell

NEEDS/PROBLEMS/COMMENTS (Continued):

5. Probate Code §17000(b)(7)(B) allows petition under this section if the trustee has failed to provide the requested information within 60 days after the beneficiary's reasonable written request.

Petitioner states he faxed a request to the trustee on or about July 1, 2013, and to date the trustee has failed and refused to prepare and provide the requested account.

However, the copy of the letter at Exhibit C does not indicate any fax number or designation (i.e., "sent via facsimile") or fax confirmation data on the page, and Petitioner also does not indicate whether the communication was followed up via regular or certified mail, or telephone call, or whether he was able to confirm receipt of the fax.

Further, the copies of the ledger information provided by the trustee appear to be dated as late as November 2013, which is after the date of the request. This indicates that the copies may have been provided in response to the request.

If so, need clarification as to whether reasonable written request was made after receipt of the ledgers in response to the letters, providing time for response pursuant to Probate Code §17000(b)(7)(B).

6. The copy of the letter at Exhibit C is addressed to David Ash at an address on Locust Avenue; however, Notice of Hearing for this matter was sent to an address on Herndon Avenue. The Court may require clarification or continuance for proper notice.
7. The proposed order includes his filing costs and attorney fees in the amount of \$1,500.00. The Court may require an itemized declaration regarding the fees from the attorney.

**Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 1821, 2680-2682)**

		<p><b>TEMP EXPIRES 5-21-14</b></p> <p><b>ALICIA DIAZ-REYES</b>, Sister, is Petitioner and requests appointment as Conservator of the Person with medical consent powers.</p> <p><b>Voting rights affected</b></p> <p><b>A Capacity Declaration was attached to the petition.</b></p> <p><b>Petitioner states</b> the proposed Conservatee is diagnosed with Waardenberg Syndrome and SCA-2 and also suffers from seizures. When last tested, she functioned at the cognitive ability of a 5-6 year old child. The proposed Conservatee requires constant care and is never left alone. She is nonverbal but knows certain basic signs in American Sign Language. The proposed Conservatee attends high school special education in Fresno. She is considered severely developmentally delayed. Petitioner believes her cognitive abilities have decreased since her last assessment, which was several years ago.</p> <p><b>Court Investigator Samantha Henson filed a report on 4-9-14.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Court Investigator advised rights on 4-4-14.</b></p> <p><b>Voting rights affected</b> - Need minute order</p> <p><b>Note:</b> It appears that all issues previously noted have been cured.</p>	
<b>Cont from 041614</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			
<input checked="" type="checkbox"/>	<b>Verified</b>			
<input type="checkbox"/>	<b>Inventory</b>			
<input type="checkbox"/>	<b>PTC</b>			
<input type="checkbox"/>	<b>Not.Cred.</b>			
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>			
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>			W
<input type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input checked="" type="checkbox"/>	<b>Pers.Serv.</b>			W
<input checked="" type="checkbox"/>	<b>Conf. Screen</b>			
<input checked="" type="checkbox"/>	<b>Letters</b>			
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
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<input checked="" type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
<input checked="" type="checkbox"/>	<b>Order</b>			
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<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>			
<input checked="" type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			
		<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 4-15-14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 16 – Duarte</b></p>		